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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s):	Friddle, <i>et al.</i>	Group Art Unit: 1652
Application No.:	09/938,330	Examiner: W. W. Moore
Filed:	08/22/01	
Title: Novel Human Proteases and Polynucleotides Encoding the Same		Atty. Docket No.: LEX-0221-USA

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**AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION**  
**DATED FEBRUARY 20, 2004**

Commissioner for Patents  
Alexandria, VA 22313

Sir:

The Applicants acknowledge the receipt of the Non-Final Office Action ("the Non-Final Action") mailed on February 20, 2004 (Paper No. 20040123), which has been carefully reviewed and studied. Applicants note that although the Action states at the end of the first paragraph on page 2 that "New grounds of rejection are stated herein below, thus this communication is not made final" that the Office Action Summary (PTOL 326) is **incorrectly marked** under Status, with an X in box 2a) This action is FINAL.

The Examiner is respectfully requested to enter the following amendment. Reexamination and reconsideration of the application is requested in view of the following amendment, evidence and remarks. In order to facilitate the Examiner's evaluation of the application, Applicants have attempted to address the objections and rejections in the same order in which they were originally raised.

A Petition for an Extension of Time of two months to and including July 20, 2004, and authorization to deduct the fee as required under 37 C.F.R. § 1.17(a)(1) from Applicants' representatives Deposit Account are included. The response is thus timely filed. Applicants believe no fees in addition to the fee for the extension of time are due in connection with this response. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0892.

## AMENDMENTS

1.(cancelled)

2.(currently amended) An isolated nucleic acid molecule comprising a nucleotide sequence that:

- (a) encodes the amino acid sequence shown in SEQ ID NO: 20; and
- (b) hybridizes under highly stringent conditions to the nucleotide sequence of SEQ ID NO: 19 or the complement thereof.

3.(original) An isolated nucleic acid molecule according to Claim 2 wherein said nucleotide sequence is present in cDNA.

4.(original) An isolated nucleic acid molecule encoding the amino acid sequence presented in SEQ ID NO:20.

5.(original) An isolated nucleic acid molecule encoding the amino acid sequence presented in SEQ ID NO:22.

6.(cancelled)

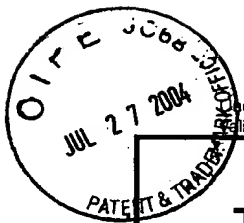
7. (previously presented) An isolated nucleic acid molecule comprising a nucleotide sequence encoding an amino acid sequence selected from the group consisting of SEQ ID NOS: 20 and 22.

8.(previously presented) An expression vector comprising a nucleic acid sequence of Claim 4.

9.(previously presented) A cell comprising the expression vector of Claim 8.

10.(previously presented) An expression vector comprising a nucleic acid sequence of Claim 5.

11.(previously presented) A cell comprising the expression vector of Claim 10.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	09/938,330
		Filing Date	08/22/01
		First Named Inventor	Friddle
		Group Art Unit	1652
		Examiner Name	W.M. Moore
Total Number of Pages in This Submission	19 + exhibits	Attorney Docket Number	LEX-0221-USA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to Comply  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communications to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): return postcard
Remarks		Customer # 24231

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Lance K. Ishimoto, Reg. No. 41,866 Lexicon Genetics Incorporated
Signature	<i>Lance K. Ishimoto</i> by <i>Patricia S. Seaman</i> Reg. No. 40162
Date	July 19, 2004

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313 on this date: July 19, 2004	
Typed or printed name	Nancy Stacey
Signature	<i>Nancy Stacey</i>
Date	July 19, 2004

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